

Acknowledgment – Sentencing Options and Supervision Conditions

U.S. DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES DISTRICT COURT
District of New Hampshire

AUG 30 2022

FILED

UNITED STATES OF AMERICA

v.

ACKNOWLEDGMENT

Andrew Spinella
Defendant

Case Number: 1:21CR00041-4-JL

I, Andrew Spinella, acknowledge that I have received, reviewed and understand the proposed Sentencing Options and Supervision Conditions filed by the U.S. Probation Office in this case.

Date:

8/30/2022


Defendant


Defense Counsel

cc: Defendant
U.S. Attorney
U.S. Marshal
U.S. Probation
Defense Counsel

PROPOSED SENTENCING OPTIONS AND SUPERVISION CONDITIONS

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE
UNITED STATES V. ANDREW SPINELLA, DKT. 0102 1:21CR00041-004**

TOTAL OFFENSE LEVEL **5**
CRIMINAL HISTORY CATEGORY **I**

	<u>Statutory Provisions</u>	<u>Guideline Provisions</u>	<u>Plea Agreement Provisions</u>
CUSTODY:	Ct. 9: 0-20 years	0-6 months (Zone A)	Not recommended
SUPERVISED RELEASE:	Ct. 9: 0-3 years	Ct. 9: 1-3 years	Not recommended
PROBATION:	1-5 years	0-3 years	A term of probation to be determined by the Court ¹ (<i>binding stipulation</i>)
FINE:	Ct. 9: \$0- \$250,000	\$500-\$9,500	Silent
RESTITUTION:	Not applicable	Not applicable	Not applicable
SPECIAL ASSESSMENT:	Ct. 9: <u>\$100</u>	Ct. 9: \$100	Ct. 9: \$100

SUPERVISION:

While on supervision, you must comply with the following mandatory conditions:

You must not commit another federal, state, or local crime.

You must not unlawfully possess a controlled substance.

The drug testing condition required by 18 U.S.C. § 3563(a)(5) is suspended based on the Court's determination that the defendant poses a low risk of future substance abuse.

DNA – You must cooperate in the collection of DNA as directed by the probation officer.

In addition, you must comply with the standard conditions that have been adopted by this Court as well as the following special conditions:

Financial Requirements and Restrictions

1. You must provide the probation officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the Financial Litigation Unit of the U.S. Attorney's Office.

¹ Since the applicable guideline range is in Zone A of the Sentencing Table, a sentence of imprisonment is not required, thus a probationary sentence is a guideline sentence. USSG §5C1.1(b).

Spinella, Andrew

Docket

2. You must not incur new credit charges, or open additional lines of credit without the approval of the probation officer.
3. If the judgment imposes a financial penalty, you must pay the financial penalty in accordance with the Schedule of Payments sheet of this judgment. You must also notify the court of any changes in economic circumstances that might affect the ability to pay this financial penalty.

Search and Seizure

4. You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

Respectfully submitted,

Jonathan E. Hurtig
Chief U.S. Probation Officer

By: /s/ Steven M Killelea
Steven M Killelea
U.S. Probation Officer

Approved:

/s/ Laura M. Roffo
Laura M. Roffo
Supervising U.S. Probation Officer

08/10/2022
Date